

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Newport News Division

UNITED STATES OF AMERICA,

v.

GEORGE WILLIAM EVANS,

Defendant.

CRIMINAL ACTION NO.
4:22cr92

TRANSCRIPT OF PROCEEDINGS
(Sentencing)
(Redacted by order of the Court)

Norfolk, Virginia

August 3, 2023

BEFORE: THE HONORABLE ELIZABETH W. HANES
United States District Judge

APPEARANCES:

UNITED STATES ATTORNEY'S OFFICE

By: Brian James Samuels

David M. Coleman

Assistant United States Attorneys

Counsel for the United States

WEISBERG & WEISBERG, PLLC

By: Noah David Weisberg

George Gorman

Counsel for the Defendant

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I N D E X

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(None)

1 (Proceedings commenced at 10:40 a.m.)

2 THE COURT: Good morning.

3 MR. SAMUELS: Good morning, Judge.

4 THE COURT: Madam Clerk, can you call our next
5 matter, please.

6 THE CLERK: Criminal number 4:22cr92, United States
7 of America versus George Evans.

8 Mr. Samuels, is the government ready to proceed?

9 MR. SAMUELS: The government is ready. Good
10 morning, Your Honor.

11 THE COURT: Good morning.

12 THE CLERK: Mr. Weisberg, is the defendant ready to
13 proceed?

14 MR. WEISBERG: The defendant is ready. Good
15 morning.

16 THE COURT: Good morning, Mr. Weisberg.

17 Good morning to you, Mr. Evans.

18 THE DEFENDANT: Good morning.

19 THE COURT: Nice to see you, sir.

20 You all can just come forward.

21 Before we get started, let me just first apologize
22 for starting court later than scheduled. We generally do
23 try to stay on schedule, so I'm sorry to keep everyone
24 waiting.

25 Mr. Evans, you had previously appeared before me

1 and entered a plea of guilty to Count One, which charges
2 conspiracy to defraud and commit offenses against the United
3 States, in violation of 18, United States Code, Section 371;
4 and Count Thirty-One, which charges engaging in monetary
5 transactions in criminally derived property, in violation of
6 18, United States Code, Sections 1975 and 2. And so this
7 hearing is set this morning for your sentencing in which I
8 will consider and then impose the sentence in your case.

9 Do you understand that, sir?

10 THE DEFENDANT: Yes, Your Honor, I do.

11 THE COURT: All right.

12 Let me first ask the Government, have all known
13 victims been provided notice of this hearing and an
14 opportunity to be heard?

15 MR. SAMUELS: Yes, Your Honor, they have.

16 THE COURT: Thank you.

17 So, in preparation for the sentencing today, the
18 Court received and reviewed your Presentence Report, which
19 is the report that the probation officer prepared in your
20 case. The most recent of that report was filed on June 5th,
21 and the addendum indicates that there are no unresolved
22 objections to the report.

23 So, let me first ask you, Mr. Weisberg, did you
24 have a sufficient opportunity to review the Presentence
25 Report with Mr. Evans prior to appearing before me today?

1 MR. WEISBERG: I did, Your Honor.

2 THE COURT: Do you know of any other addictions,
3 corrections, or modifications that need to be made?

4 MR. WEISBERG: I do not, Your Honor.

5 THE COURT: Now, I do have the letters that you've
6 submitted as attached to your sentencing position, but do
7 you have any other evidence that you would like to present
8 today?

9 MR. WEISBERG: Just from the witnesses who provided
10 those letters, brief testimony, Your Honor.

11 THE COURT: Okay. Very well.

12 And then finally, have you reviewed the mandatory,
13 standard, and special conditions of supervised release,
14 which also include conditions of probation that are included
15 in the Presentence Report?

16 MR. WEISBERG: We have, Your Honor.

17 THE COURT: All right.

18 So, Mr. Evans, I do have some questions for you.

19 The reason we focus so heavily on the Presentence
20 Report is, in addition to the parties' arguments, it really
21 is the fundamental information that I receive and consider
22 in trying to determine the appropriate sentence in your
23 case. So it's very important that the information in the
24 Presentence Report is accurate and complete because of its
25 role in the sentencing process.

1 So I want to ensure, sir, did you have enough time
2 to review the report and go through it with your attorney?

3 THE DEFENDANT: Yes, Your Honor, I did.

4 THE COURT: And do you think there are any errors
5 in the report?

6 THE DEFENDANT: I think any errors that may have
7 been there were corrected with the reviews that we did.

8 THE COURT: Very well.

9 And do you also believe that the report is
10 complete? Does it have everything in it that you think it
11 should have about you for purposes of sentencing?

12 THE DEFENDANT: Yes, Your Honor, I do.

13 THE COURT: All right. Now, at the end of this
14 Presentence Report is a list of conditions of supervised
15 release and probation. Both of those are simply periods of
16 supervision which come with conditions, things that you can
17 and cannot do. If you violate those conditions, you could
18 face an additional term of incarceration. So it's important
19 that you read them, understood them. When I impose
20 sentence, I won't necessarily go through each one, so long
21 as you have read them already as they're set forth in the
22 Presentence Report.

23 So, Mr. Evans, did you read and review and talk
24 with your attorney about the mandatory, standard, and
25 special conditions in the Presentence Report?

1 THE DEFENDANT: Yes, Your Honor, I did.

2 THE COURT: Do you have any questions?

3 THE DEFENDANT: No, I do not.

4 THE COURT: All right. Do you need any additional
5 time before we go forward with your sentencing, Mr. Evans?

6 THE DEFENDANT: No. No, Your Honor, I don't.

7 THE COURT: All right. So, for purposes of the
8 record I am going to set forth the maximum penalties that
9 are set by statute and then review the advisory guideline
10 range.

11 As to Count One, the maximum penalties are: A
12 maximum term of five years of incarceration, a fine of
13 \$250,000 or twice the gross gain or loss, restitution,
14 forfeiture of assets, a \$100 special assessment per count,
15 for a total of \$200, and a maximum term of three years of
16 supervised release.

17 As to Count Thirty-One, the maximum penalties are:
18 A ten-year term of incarceration, a fine, the same fine,
19 which is \$250,000 or twice the value of the monetary
20 instruments or funds involved, restitution, forfeiture, a
21 \$100 special assessment per count, and a maximum term of
22 three years of supervised release.

23 The Presentence Report also calculates your
24 advisory guideline range. That is a range of months that's
25 calculated by looking at the offense and your criminal

1 history. Here, you have almost no criminal history, and,
2 therefore, you're a Criminal History Category I. The total
3 offense level is calculated at a total offense of 26, and
4 that yields an advisory guideline range of 63 to 78 months
5 for Counts One and Thirty-One.

6 And also, I'll just set forth also the recommended
7 fine is \$25,000 to 3,000,000, just over \$3,000,000.

8 Mr. Weisberg, do you agree that those are all
9 properly calculated?

10 MR. WEISBERG: Yes, we do, Your Honor.

11 THE COURT: All right. You all can, then, step
12 back and I'll talk to the government next.

13 Mr. Samuels, I think we should hear the evidence,
14 but I'll just address a couple of things with you first and
15 then we'll hear evidence.

16 MR. SAMUELS: Yes, Your Honor.

17 THE COURT: Do you know of any other additions,
18 corrections, or objections that need to be addressed this
19 morning?

20 MR. SAMUELS: I do not, Your Honor. Thank you.

21 THE COURT: And you moved for a one-point reduction
22 for acceptance of responsibility. That motion is granted.
23 It's already reflected in the advisory guideline range.

24 Do you agree that that range is properly
25 calculated?

Evans, E. - Direct

9

1 MR. SAMUELS: I do, Your Honor.

2 THE COURT: And do you have any evidence to
3 present?

4 MR. SAMUELS: We do not, Your Honor, other than the
5 materials that were attached to our position paper, which we
6 would ask the Court to incorporate and consider.

7 THE COURT: I will.

8 MR. SAMUELS: Thank you.

9 THE COURT: Thank you all.

10 MR. SAMUELS: Thank you, Judge.

11 THE COURT: Mr. Weisberg, do you want to call any
12 witnesses --

13 MR. WEISBERG: Yes, Your Honor.

14 THE COURT: -- you want to call?

15 MR. WEISBERG: Yes. May I call Erin Evans, please,
16 Your Honor?

17 (The witness was administered the oath.)

18 THE COURT: Mr. Weisberg, you can go ahead when
19 you're ready.

20 MR. WEISBERG: Thank you.

21 ERIN EVANS, called by the Defendant, having been
22 first duly sworn, was examined and testified as follows:

23 DIRECT EXAMINATION

24 BY MR. WEISBERG:

25 Q. Ma'am, would you introduce yourself to Her Honor, please.

Evans, E. - Direct

10

1 A. I am Erin Evans.

2 Q. And what's your relationship to my client?

3 A. I'm his daughter.

4 Q. Ms. Evans, you have provided the Court a character
5 letter, essentially, that the Court has before it, correct?

6 A. Yes.

7 Q. All right. And, Ms. Evans, what, if anything, other than
8 what's contained in that letter, do you want the Court to
9 know about your father today?

10 A. I -- I will say that I have really seen a difference in
11 him since -- since the laundry business was sold. It kind of
12 was a -- like a weight off of his shoulders. And he just, I
13 can tell -- like, I could tell that there were periods of
14 depression that he probably wouldn't admit to, but I can see
15 that he's happier now. And, you know, even with this
16 sentencing looming over him, he's just a different, happier,
17 better person.

18 Q. Do you think that he is in any way, other than, of
19 course, what, you know, has been established in this
20 courtroom and otherwise in terms of monetary damages, have
21 you witnessed anything that makes you believe that he has
22 suffered at all, any degree of remorse at all?

23 A. Yeah. He is -- there have been many conversations where
24 he has teared up with me, just feeling guilt for what he has
25 put our family through and what he put anybody else through,

Evans, H. - Direct

11

1 and just shame that, you know, he got to that point.

2 Q. What he did in this case, is that, in your mind,
3 consistent with the father that you knew all of the years
4 prior to him getting involved in Magnolia laundering?

5 A. Not at all. It was incredibly shocking.

6 Q. Okay.

7 MR. WEISBERG: Thank you. I have no further
8 questions.

9 THE COURT: All right.

10 Ma'am, hold on one second. I just need to ask the
11 government if they want to ask any questions.

12 Do you have any questions?

13 MR. COLEMAN: No questions, Your Honor.

14 THE COURT: All right.

15 Ma'am, thank you for your testimony. You may stand
16 down now.

17 MR. WEISBERG: Hayley Evans, Your Honor.

18 THE COURT: All right.

19 (The witness was administered the oath.)

20 THE COURT: Go ahead.

21 HAYLEY EVANS, called by the Defendant, having been
22 first duly sworn, was examined and testified as follows:

23 DIRECT EXAMINATION

24 BY MR. WEISBERG:

25 Q. You are Miss Hayley Evans?

Evans, H. - Direct

12

1 A. Correct. Yes.

2 Q. And you are, of course, Mr. Evans, the defendant's
3 daughter?

4 A. Yes. That's correct.

5 Q. You are the same Hayley Evans that filed a character
6 letter that has been provided to the Court and filed?

7 A. Yes. Correct.

8 Q. All right. Ms. Evans, can you tell the Court anything
9 you want the Court to know about your father that you haven't
10 included in that letter, that you want Her Honor to know
11 about?

12 A. Yeah, absolutely.

13 Good morning, Your Honor, and thank you for your
14 time this morning.

15 To kind of elaborate a little bit more on what I
16 talked about in my letter, my dad started coming to church
17 with me in April, the first Sunday that he was available
18 after he sold the business. That was something that was very
19 important to him. And I've seen him immediately join, to
20 start volunteering and getting to know people, and started
21 seeing one of our pastors for counseling, so I have truly
22 seen him be super remorseful.

23 I know one point that I kind of touched on in my
24 letter is my dad's meticulousness for following the rules and
25 the laws. And his first Sunday serving with the parking lot

Evans, H. - Direct

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1 team, so helping make sure that families get safely into the
2 church, the leader of that team asked him to meet at, like,
3 10:05. And I noticed my dad looking at his watch at, like,
4 9:58. And he was walking to a room like right next door, and
5 he was like, "I should probably go so I can make it there in
6 time to help them out." And that's very consistent with the
7 way I've always seen my dad and just like his meticulousness
8 for order and doing the right thing and making sure that the
9 people who rely on him are getting the best of him.

10 And, yeah, I've seen him show a lot of remorse the
11 past few months, almost every time we talk. It is very
12 emotional for him.

13 This past Sunday, you know, being his last week
14 before today's hearing, he -- his chin just kept quivering
15 every time he talked to someone just -- and not in a feeling
16 sorry for himself kind of way but just -- just the
17 anticipating what was to come this week, so that's -- that's
18 kind of what I've been observing of my father the past few
19 months.

20 MR. WEISBERG: Thank you.

21 I have no further questions, Your Honor.

22 THE COURT: All right. Ms. Evans, hold on one
23 second.

24 Do you have any questions?

25 MR. COLEMAN: No, Your Honor.

Evans, M. - Direct

14

1 THE COURT: All right. Thank you, ma'am, for your
2 testimony. You may stand down.

3 THE WITNESS: You're welcome. Thank you.

4 MR. WEISBERG: Our final witness will be Melissa
5 Evans, Your Honor.

6 (The witness was administered the oath.)

7 MELISSA EVANS, called by the Defendant, having been
8 first duly sworn, was examined and testified as follows:

9 DIRECT EXAMINATION

10 BY MR. WEISBERG:

11 Q. Ms. Evans, you're, of course, Melissa Evans, who provided
12 a letter to the Court regarding your father's character?

13 A. Yes. That's correct.

14 Q. And, Ms. Evans, if you could describe to the Court what,
15 if anything, you want the Court to know about your father
16 today that you haven't already provided in that letter.

17 A. In addition to the letter that I provided, I mean,
18 ultimately, I just want to emphasize how -- how good of a man
19 he is, and he has always been, and what I've seen. He's been
20 very fair, and he taught me to be fair and caring, and that
21 is definitely the character I have seen with him very
22 consistently. I --

23 Q. I'm sorry. Go ahead.

24 A. No, that's okay.

25 I have -- just like my sister said -- have also seen

Evans, M. - Direct

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1 a change in him since he sold the laundry and definitely a
2 remorse. I mean, I think all three of us girls have had
3 similar conversations with him where, you know, he's sad and
4 remorseful and just relieved that the laundry is sold but
5 still, you know, sad at the situation.

6 Q. Your father before Magnolia was with LandAmerica, you're
7 aware of that? That's the evidence in the case, yes?

8 A. Yes.

9 Q. Okay. Now, when you think back to your father at that
10 time period versus how he was in his time with Magnolia, how
11 would you describe that comparison?

12 A. Well, my dad is very hardworking, no matter what. He was
13 a very hardworking man at LandAmerica, and he was very
14 hardworking at the laundry, mostly being -- you know, making
15 sure that he put his efforts in to keep as much of the
16 business afloat as he could because, you know, there were
17 things that had to be done to keep the business afloat, but I
18 saw him work harder than ever doing that.

19 Q. Do you think it impacted -- did you see it impact him in
20 terms of energy levels, exhaustion, judgment, or anything
21 like that?

22 A. Yes. He was definitely exhausted. I mean, he was
23 working ungodly hours and, you know, only getting enough
24 sleep to -- I mean, honestly, not even getting enough sleep
25 but just, you know, getting some sleep to be able to get up

1 again the next morning and do it over again.

2 Q. Did it have any impact to you and your relationship with
3 him, the amount of time that he was working at Magnolia?

4 A. Yes. I felt like some time was robbed from me.

5 Q. Was robbed, is that what you said?

6 A. Yes.

7 Q. Okay. When we talk about his remorse, do you have a way
8 to sort of describe that? Is this a remorse of somebody who
9 is upset that they got caught, or is it remorse of somebody
10 who is upset at what they did? Can you articulate on that
11 front?

12 A. Yes. Not just upset that he got caught, but -- I mean,
13 my dad has always been a good person, and he preaches the
14 right thing. He made sure all three of us girls knew that.
15 So I think that it's real remorse.

16 Q. He regrets the nature of his decisions?

17 A. Absolutely. I don't -- I don't think that this would
18 have been something he would have chose to do other -- like,
19 if he didn't feel like he didn't have to maybe.

20 Q. And you know if he is sentenced to a period of
21 incarceration and, you know, if he is granted an opportunity
22 to surrender at a future date, if that is necessary, are you
23 going to be there to support him and help him facilitate his
24 obligations to the United States government?

25 A. Yes.

Evans, M. - Direct

17

1 Q. And then after that, are you still going to be there to
2 help him if he is eventually released?

3 A. Yes.

4 MR. WEISBERG: Thank you. No further questions.

5 THE COURT: Thank you.

6 Government?

7 MR. COLEMAN: No questions, Your Honor.

8 THE COURT: All right.

9 Thank you, Ms. Evans. You can step down.

10 THE WITNESS: Thank you.

11 MR. WEISBERG: Your Honor, that is the nature of
12 our testimonial evidence. We would just ask the pre-filings
13 that have been already brought into the court be made a part
14 of the record.

15 THE COURT: They will be.

16 MR. WEISBERG: Thank you.

17 THE COURT: Thank you.

18 All right. I'll hear from the government.

19 MR. SAMUELS: Thank you, Your Honor.

20 Your Honor, in listening to Mr. Evans's daughters
21 there, I was gratified to hear the expressions of remorse
22 because in some of the position papers that have been filed,
23 I had some concerns about that, so I was glad to hear that.

24 And I know the defendant's daughters are referring,
25 of course, to his whole background that the Court must

1 consider, and so I would also ask the Court to consider in
2 the serious offense of this case the entire nature of the
3 offense. And I am going to talk about Mr. Evans's
4 involvement specifically, but the entire nature of the case
5 I think warrants consideration, just like Mr. Evans's
6 background does.

7 THE COURT: Mr. Samuels, will you move the
8 microphone closer to you?

9 MR. SAMUELS: Oh, so it's louder? Okay. I don't
10 usually have that problem. Yes, Your Honor.

11 THE COURT: It's not too bad, but go ahead.

12 MR. SAMUELS: Yes, ma'am.

13 This is a labor trafficking conspiracy that
14 Mr. Evans comes to the Court to be sentenced on. It was a
15 conspiracy that lasted for a relatively long period of time,
16 from 2017 through 2022, and Mr. Evans did play a role in
17 this.

18 It was not just a case of hiring undocumented
19 workers to work at the Magnolia laundry facility. And the
20 workers, really the victims in this case, Your Honor, many
21 of them did come from Central America, largely El Salvador.
22 So there is an immigration component to it, but there is a
23 larger component about exploitation, about control of
24 the vulnerable workers for profit, not just about hiring
25 undocumented individuals, or not being aware of the hiring

1 requirements. That would dilute, really, the nature of this
2 case. And that's important because the more serious the
3 case, it does elevate an individual's connection to it and
4 sentencing exposure when the case is more serious. So we
5 would ask you to consider the entire nature of the case.

6 Now, Your Honor, this case involved labor
7 trafficking. In 2000, the Trafficking Victims Protection
8 Act defined labor trafficking as "The recruitment,
9 harboring, transportation, provision, or obtaining of a
10 person for labor or services, through the use of force,
11 fraud, or coercion for the purpose of subjection to
12 involuntary servitude, peonage, debt bondage, or slavery."

13 And so some of the components of that, Your Honor,
14 are fear of physical harm to the worker or their family, a
15 fear of deportation, coercive debt payments, and essentially
16 victims not being able to make their life choices as to
17 where they are going to live, when they are going to work,
18 when they can leave.

19 This case really does have all of these attributes
20 to it. It's often an underreported crime because of the
21 nature of the victims.

22 And again, Your Honor, I am going to talk
23 specifically about Mr. Evans's involvement, but I do want to
24 set the stage for the Court as to the nature of the entire
25 case.

1 It also, of course, involves a money laundering
2 component. And specifically with respect to Mr. Evans, in
3 August of 2019, he made a transfer of funds derived from the
4 specified unlawful activities of inducing entry, harboring,
5 transporting, all trafficking-related offenses, Your Honor.
6 The overall amount of the money laundering was about
7 1.5 million. That's not really captured in the guidelines
8 in the way they're calculated in this case, but it's
9 something that's important because it shows and
10 demonstrates: Number one, the profit motive to this; and
11 number two, how the proceeds from this were kind of plowed
12 right back into it to keep it going again.

13 So, Your Honor, as we've set forth in our position
14 paper, when we look at the nature and circumstances of the
15 offense, the leadership role that the defendant played as an
16 owner of the business, who did manage it, and this profit
17 motive, we submit that this supports an advisory sentence at
18 the lower end of the range for Mr. Evans. And then we do
19 have a separate variance motion that I'll talk about at
20 another time, at the appropriate juncture.

21 But, again, looking to the nature and circumstances
22 of the offense, from 2017 through 2022, the defendant was a
23 co-owner of Northstar, which operated as Magnolia, this
24 laundry business in Williamsburg that had actually been
25 operating since 2009. And in these later years, in this

1 time period we're focused on, it really came to rely upon
2 this traffic-enforced labor, in violation of a number of
3 U.S. laws as well as the dignity of the victims. And on the
4 defendant, he was an owner. He was a manager. He was a
5 director. He was a shift supervisor. He played a role
6 here, and he is responsible for his participation. Judge,
7 there were many steps to this over a long period of time
8 that are well-summarized in the, I think nearly hundred
9 paragraphs of the PSR.

10 Certainly, Magnolia came to a point where they
11 needed a supply of workers to service the many contracts
12 that they had, the commercial laundry business in
13 Williamsburg with all of the resorts that are there. So
14 these workers had to be identified. They were largely
15 vulnerable people from Central America, again, from El
16 Salvador.

17 There had to be an engagement of transportation
18 from Central America, payments to individuals who largely
19 smuggled these workers to the United States. Some
20 encountered Border Patrol, some did not. Some served time
21 in detention facilities. One I believe was smuggled in the
22 trunk of a car from Mexico to Houston. They were then
23 transported to Williamsburg.

24 The workers were housed in Williamsburg, some of
25 them at the homes of co-defendants, Mr. Vaughan and

1 Ms. Landaverde. And some of the workers were actually
2 housed in the laundry facility.

3 Fraudulent identification documents had to be
4 obtained to make them appear to be legitimate.

5 And then this scheme kind of turned on itself where
6 the conspirators collected payments from the workers, and
7 they collected payments to pay for their travel to the
8 United States, sometimes payments just to live in the
9 warehouse in some poor conditions.

10 As the PSR references, G.M.M.M. paid some -- was
11 asked to pay some \$22,000 for their transport to the United
12 States, even though they believed it was far less and only
13 cost about \$12,000. F.A.P.C.E. paid some \$28,000, was asked
14 to pay that amount. And then money was given back to these
15 same workers to structure payments back to the smugglers to
16 keep this ring going.

17 And then there was an effort, Your Honor, to keep
18 the workers in line, and that was done through debts,
19 through threats, through physical abuse.

20 What nature did the threats take? We had, I think,
21 I believe at least eight victims identify some of these:
22 Threats to deport them, threats to prosecute, hitting them
23 for making friends -- the young minor who went to school in
24 Williamsburg -- threats to harm them or their family members
25 in order to make them to stay and to work.

1 So the upshot of all of this, Your Honor, was a
2 workforce that was in fear but was controlled, who worked
3 long hours. Money came through to these owners through the
4 control and this exploitation.

5 And the Presentence Report recounts some pretty
6 startling examples. Some of those are referenced in the
7 Victim Impact Statements.

8 There was a young minor, M.G.M., 13-years old when
9 she came here, was in the detention center for a period of
10 time and then traveled to Williamsburg. She not only worked
11 but went to school, and it was this back and forth between
12 going to school during the day, school in Williamsburg, and
13 then being picked up and taken to work all night, back and
14 forth, school and work, over and over again, couldn't make
15 friends, was threatened if she did so.

16 V.M.G. and her infant son were brought up in August
17 of 2021. They were living in the business. And I believe
18 we attached a photograph to our position paper that
19 indicated that this child was in a stroller with the bottle
20 attached to a strap attached to the stroller. The child was
21 unaccompanied for times when the mother was working. The
22 business was certainly not suitable for an adult to be
23 living in as an adult, not to mention a young child.

24 Workers came in at the end of this time period
25 paying double their costs of transport.

1 And I will make the point to Your Honor that this
2 crime did not stop on its own. No one raised their hand and
3 said, "We need to stop this conduct. This is wrong." It
4 only stopped because HSI, the Department of Labor did their
5 investigation, engaged in search warrants and arrest
6 warrants. That's what stopped this, not any of the
7 defendants saying, "We know this is wrong. We need to stop
8 it."

9 Now, let's look at what the defendant knew and what
10 the defendant did, because I think the Court has to consider
11 this as well. When we briefed this matter, we certainly
12 acknowledged then, and we acknowledge today that the
13 defendant played a lesser role here individually, although
14 he was certainly part of the conspiracy, and we did credit
15 the defendant that lesser role in our guideline
16 recommendation.

17 I'm somewhat concerned, Your Honor, with how the
18 case was cast in some of the recent defense pleadings, but I
19 understand that the defense does acknowledge that he was
20 aware and involved in this from as far back as 2017. But
21 this isn't just a technical guilt, Your Honor. This isn't a
22 regulatory crime.

23 So looking at what the defendant admitted to in the
24 statement of facts and the PSR that sort of serves as our
25 template here, he certainly admitted he was a manager. He

1 admitted he was an owner and director, responsible for
2 hiring. He made payments to these workers that he knew were
3 not authorized to work in the United States. And the
4 Presentence Report recounts at least 25 separate documented
5 payments from 2017 through 2021 to many different workers.

6 In 2019 through 2022, the defendant, along with
7 conspirators, provided these workers with currency to wire
8 to Central America, and there were some \$200,000 sent to
9 Central America. This is proceeds from the business.

10 In 2021, he acknowledged that he knew that a young
11 worker was housed there and her child at the business.

12 In 2022, Your Honor, there was a recorded phone
13 call with the defendant. And this recorded phone call, Your
14 Honor, I submit, reveals that the defendant was aware of
15 some of the various red flags that were occurring here at
16 the business. And he's talking with these individuals
17 telling them, I don't do a background check, or anything
18 based on that, and that he's certain that they have had
19 people with false papers. Then this undercover individual
20 met with the defendant and Ms. Landaverde and asked for a
21 way to get documents.

22 So, Your Honor, there were a lot of red flags here
23 from the defendant's involvement in the business. He wasn't
24 an absentee landlord. He was a shift supervisor. We have
25 heard that he worked long hours at the business, where these

1 other victims and workers also worked long hours.

2 I believe in our position paper we referenced a
3 worker that identified that she worked some 160 hours in the
4 course of two weeks, very long hours under very, very
5 difficult conditions.

6 THE COURT: He was the day shift manager?

7 MR. SAMUELS: I believe that's correct, Your Honor.

8 The defendant certainly was in a position as a
9 co-owner where he could have stopped this, but he didn't.
10 And I understand, Your Honor, that there are cases when an
11 individual is in a pot of water and that pot gets hotter and
12 hotter and hotter, and you just find yourself involved in
13 something, but at some point -- and I think defense would
14 acknowledge that by at least 2017 -- the defendant knew that
15 these things were going on and that this is how they were
16 providing their workforce. We would expect somebody like
17 the defendant to pull the plug on this, but he didn't.

18 When arrested, he did not cooperate initially,
19 didn't talk with law enforcement.

20 In the Presentence Report, he made a claim in his
21 acceptance of responsibility portion that this stemmed from
22 COVID, but, Your Honor, all of the payments and a lot of the
23 facts in this case occurred well before 2020, so I find that
24 somewhat hard to credit.

25 In terms of the defendant's knowledge, again, what

1 we can show is that he was a 50 percent owner of the
2 business. He was local, present and engaged, shift
3 supervisor, knows that the workers are working, knows there
4 is a minor there and a woman with her infant son.

5 Many of the threats that occurred here, Your
6 Honor -- and we're not attributing the defendant with the
7 threats, but many of the threats occurred at the warehouse,
8 Your Honor. And it would just seem that there is almost too
9 much that occurred at the business or in connection with his
10 finances for him to just turn a blind eye to this, as to
11 what was going on.

12 The total amount of laundered funds, one and a half
13 million, 215,000 of which were these international wires.
14 And the total funds that are subject to forfeiture from the
15 proceeds of this were 3.9 million to the conspirators, and
16 that's based on a percentage of the workforce over the time
17 period. But, Your Honor, again, it's enough red flags that
18 should have caused the defendant to be able to issue spot
19 this. He's educated. He's experienced. These things were
20 going on right under his nose.

21 And further looking at the conspiracy he pled to,
22 the driving charge of this multi-object conspiracy, and all
23 of the objects of the conspiracy relate either to
24 essentially trafficking -- it's bringing the immigrants into
25 the United States, transporting them to avoid detection,

1 harboring them, producing false identification documents
2 that were necessary for them to work at Magnolia -- and then
3 there is the obtaining labor by force piece that the
4 defendant is not as involved with.

5 But, Your Honor, conspiracies are separate crimes
6 beyond the substantive crimes, because they present separate
7 dangers of criminality. There are special group dangers of
8 criminality when you have multiple individuals involved, and
9 that's really for a couple of reasons. There is a better
10 chance at concealment due to the compartmentalization that
11 occurs. One conspirator takes one task, another another.
12 There is a better chance of success. The whole tends to be
13 greater than the sum of the parts.

14 And the defendant was involved in this conspiracy,
15 and he can't set aside what was done completely by these
16 other conspirators because he benefited from it. He was the
17 owner of the business.

18 And it does seem to me that in his position papers
19 he has somewhat narrowed or minimized the view he has of the
20 offense. I hope I am reading that wrong. I hope that he
21 really does have remorse for this and realizes the scope of
22 this.

23 THE COURT: Let me ask you -- I just want to make
24 sure I confirm your position on one thing.

25 MR. SAMUELS: Yes, Your Honor.

1 THE COURT: Regarding the physical threats and the
2 force and the debts -- well, actually let me just start with
3 the threats and the physical abuse. I think the parties are
4 in agreement that Mr. Evans did not personally engage in
5 that conduct and did not direct that conduct.

6 MR. SAMUELS: That's correct, Your Honor. We have
7 no evidence of that.

8 THE COURT: But it seems that there is some dispute
9 about the degree of his knowledge of whether those
10 activities were occurring.

11 MR. SAMUELS: I think there is, yes. And, Your
12 Honor, it's knowledge, so we can't open his head and see
13 what he actually knew, but I think, again, there were enough
14 red flags and enough issues going on there that perhaps he
15 just really had serious blinders on, but having serious
16 blinders on isn't itself a way to avoid knowledge, when
17 you're trying to ignore what's obvious, when you're trying
18 to put your head in the sand, and this was operating for
19 such a long period of time, and he was directly involved,
20 and admitted being involved in the hiring of individuals.

21 THE COURT: What about the payment of debts, so the
22 rent payments, repayments for the transport, what was his
23 involvement as to that?

24 MR. SAMUELS: We don't have any direct evidence
25 that he was involved in those payments of debt, Your Honor.

1 But he has admitted that he, along with the other
2 conspirators, did provide some money for these workers to
3 send down to others, and I believe he would readily admit
4 that he did that directly in a period of time, that he sent
5 money to bring people back into the United States as the
6 scheme continued, as it grew more serious.

7 THE COURT: All right.

8 MR. SAMUELS: Your Honor, the guideline range,
9 recognizing it is advisory, is 63 to 78 months. In the
10 government's view that reflects the seriousness of the
11 offense as a whole, it does.

12 Mr. Evans is given a two-level leadership
13 enhancement. There is an enhancement for the number of
14 individuals that are trafficked. We believe that that is a
15 conservative but appropriate number of 25 to 99. There were
16 at least that many over that five-year period. There is
17 enhancements for the unaccompanied minor and vulnerable
18 victim. And then Mr. Evans also pled guilty to the money
19 laundering.

20 So in the government's view, this does recognize
21 the facets of the case. This scheme really only operates if
22 the profits from it can be channeled back in, and certainly
23 the defendant played a role in that.

24 But 1.5 million doesn't really have any recognition
25 in the guidelines. There is -- normally 1.5 million, if

1 that's the amount that's laundered, that results in its own
2 sentence that's about this level, but because it defaults
3 to, really, the immigration guidelines, it doesn't look that
4 way.

5 Why is this reasonable, Your Honor? Again, it does
6 capture the seriousness of the offense and its duration.
7 This went on for a five-year period of time. It reflects
8 the number of laws that were broken here, the integrity of
9 our system that has been thwarted, and also the dangers of
10 this human smuggling. Putting the money into this system is
11 certainly encouraging and facilitating a very predatory
12 system that brings people into the United States.

13 And Mr. Evans, as essentially one of the owners of
14 the farm here, he is somewhat responsible for the crops that
15 are produced. And the crops that came out of these things
16 that were set in motion were this control and this
17 exploitation, and you do have some ripple effects here, Your
18 Honor. I don't know that we can get our arms around all of
19 them, but the Court can see how a lot of those victims or a
20 lot of the workers who went in and provided false
21 identification had Social Security numbers. Those Social
22 Security numbers belonged to real people. If W-2s or W-4s
23 were filed for them, if there was paperwork filed, that at
24 some point can come back to those true individuals that had
25 their Social Security numbers taken. Again, it also does

1 support this trafficking of individuals into the United
2 States. That's a systemic harm.

3 Now, Your Honor, those are the facts of the case,
4 and that's the nature and circumstances of the offense, both
5 as a whole and the defendant's own participation.

6 And now I would like to talk about his background.
7 When we look at background, Your Honor, we tend to go first
8 to criminal history. Well, that's easy here. Mr. Evans has
9 no criminal history. That tends to show us what's going to
10 happen in the future.

11 Here, Mr. Evans, everything he has in his
12 background is good things, a family, education, work
13 history. And we tend to look at a good background and a
14 good past as mitigating. I do submit to the Court that that
15 should be somewhat more balanced in a case like this because
16 it ups the quotient of he should have known better. He
17 really should have, Your Honor. He was educated. He was
18 intelligent. He was experienced in business. We're not
19 talking about somebody who is new to running a company or
20 new to engaging in this. Mr. Evans is an experienced,
21 educated man.

22 So when you have that good background -- and
23 unfortunately, when we see these more sophisticated
24 white-collar type crimes, it is often individuals who are
25 caught up in this that have that type of background because

1 they're able to rise to the position of prominence to do it.

2 Mr. Evans didn't have to do this. Looking at his
3 financial history, looking at what he has, he could have
4 retired. He could have let this go. There was no reason to
5 continue this.

6 So I would submit that, unfortunately, when
7 somebody has such a good background, it is a little bit
8 aggravating when they step away from that, when they walk
9 away, because to whom much is given, much is expected, Your
10 Honor. And Mr. Evans had so many advantages, that he would
11 turn and disadvantage others in this way is somewhat
12 distressing and it is serious.

13 Again, Mr. Evans did not stop this on his own but
14 when he was arrested. And he has certainly visited a
15 hardship on himself and his family, unfortunately, based on
16 the choices that he has made.

17 Your Honor, looking at the other purposes of the
18 sentencing here, I go to respect for the law. I hope that
19 Mr. Evans realizes this, based on the testimony we heard
20 this morning and the expressions of remorse. From what was
21 in the position paper, it seemed to be a lot of "he failed
22 to recognize" or "he failed to understand." And I don't
23 think that that fits the statement of facts that he agreed
24 to.

25 The expression that he is "totally shocked" or

1 "surprised" by some of this has somewhat of a Casa Blanca
2 type air to it. Again, Mr. Evans is not sitting across town
3 or across country. He is at the business. He's involved in
4 the hiring. He's making payments to these individuals. It
5 seems to me that there were a number of yellow lights that
6 he went through at best.

7 It is a serious offense, Your Honor. I discussed
8 that at length.

9 We talk about deterrence. I hope that Mr. Evans
10 doesn't need to be specifically deterred now that he's been
11 caught up in this. I really don't think he does. But I do
12 think general deterrence is very important in this case.
13 These labor trafficking investigations are more common than
14 they are prosecuted. They are hard to identify. They are
15 hard to investigate because a lot of times victims don't
16 come forward, and that was certainly the case with this
17 situation, Your Honor. We didn't have victims come forward
18 until 2021, I believe, and then there was a lengthy
19 investigation where we tried to find out other victims. And
20 the Court can kind of see that as workers come in and
21 workers leave, it is difficult for us to be able to find
22 those and to really get our arms wrapped around it.

23 In terms of just punishment, certainly Mr. Evans
24 should be justly punished. This was not a one-time crime or
25 even a one-time call that Mr. Evans made. This occurred

1 over a period of time for five years. And a sentence at the
2 low end of that range as a starting off point does reflect
3 the charges, the role that he played, and just punishment.

4 And lastly, Your Honor, let me just talk a little
5 bit more about the victims. We've submitted a number of
6 statements that the Court has seen. These victims are
7 victims in a number of ways. They are vulnerable people
8 that are brought into the United States. They are coming
9 here hoping for something better. The transportation
10 process can be difficult for them. They're not coming here
11 under their own power necessarily. They're being
12 transported here, and it's transported in a system that is
13 rife with problems.

14 Some of them were brought in. M.M.G. provided in
15 her statement that she worked very long hours, there was no
16 air conditioning, no heat, only one 30-minute break. And
17 just some of these working conditions couldn't be not
18 noticed by the defendant, and the long hours that these
19 folks are working.

20 You see how they check the boxes about their
21 feelings, whether they were angry or fear or concerned. And
22 Mr. Evans played a role in setting the stage for this system
23 that exploited these people in this way. So I think it's
24 important for the Court to consider the victims and remember
25 that these are the victims that we know of. This is kind of

1 the tip of the iceberg from the last year of this.

2 Certainly, there were others.

3 Your Honor, I'll just end with the observation that
4 we're here because of the choices that Mr. Evans made.
5 People don't just stumble into a conspiracy or get caught up
6 in a wave of it. He knew about this, and he decided to
7 continue it, and we know that because of the length of the
8 time that he was involved and the things that we can point
9 to that show his involvement.

10 Your Honor, I will be happy to address our request
11 for a variance at the appropriate time, but at this point we
12 would ask the Court to consider as a starting point the low
13 end of that advisory range, which we think appropriately
14 reflects the 3553(a) factors.

15 THE COURT: All right. I do. Let me just ask you
16 a couple of questions.

17 MR. SAMUELS: Yes, ma'am.

18 THE COURT: Can you explain to me again how the
19 money judgment amount was determined?

20 MR. SAMUELS: Yes, ma'am. And I might have to look
21 to my colleagues for a little bit of help here, but my
22 understanding is that how we determined the monetary
23 judgment was we looked at the gross revenue of Magnolia for
24 the period of time of the conspiracy, and that was about
25 \$9 million, and then we took about 40 percent based on kind

1 of a conservative view, that that was the percentage of the
2 workforce that was illegal, and we applied that percentage.
3 After consulting with defense counsel and everybody coming
4 to an agreement that that was appropriate, we viewed that as
5 reasonable, and that came to about our \$3.9 million figure.
6 And I see nods over at the government's table, so I think I
7 have hit most of it, Your Honor.

8 THE COURT: All right. And then somewhat related
9 to that, certainly Mr. Evans earned a salary during this
10 period of time.

11 MR. SAMUELS: He did.

12 THE COURT: But I think you would agree that he
13 didn't gain a windfall through his participation, that his
14 salary was consistent with what it would have been apart
15 from this offense. And I just want to be clear, is that
16 your view, or is it that there was?

17 MR. SAMUELS: I think that's right, Your Honor, but
18 I think that it came to the point where this was the
19 mechanism by which they were able to keep operating when
20 they had difficulty. So, but for being able to engage in
21 this conduct to keep the business running, there is
22 certainly I think a profit motive tied up in that. But I
23 would agree with the Court that if it had been running
24 legitimately there would have been some sort of salary, but
25 they needed to do this to keep it running.

1 THE COURT: All right. Then do you have a position
2 on whether I should impose a fine and the amount of that
3 fine?

4 MR. SAMUELS: I defer to the Court, Your Honor.

5 THE COURT: All right. And what about a term of
6 supervised release?

7 MR. SAMUELS: Yes, Your Honor. We would ask for a
8 term of supervised release in this case. I don't know that
9 a lengthy term is appropriate, but I think there should be a
10 term of supervision.

11 THE COURT: All right. Very well.

12 MR. SAMUELS: Thank you, Judge.

13 THE COURT: Thank you.

14 Mr. Weisberg.

15 MR. WEISBERG: Thank you, Your Honor.

16 May it please the Court.

17 Mr. Evans in no way is seeking, nor are the
18 pre-filings with the Court seeking to do anything other than
19 illustrate exactly what he did that was wrong and delineate
20 that from his co-defendants, which was some of it was the
21 same conduct and some of it was far different.

22 He fully and completely accepts responsibility for
23 the sad reality for which he is humiliated, that he in
24 2019 -- I'm sorry, 2021 agreed with his co-conspirators to
25 actively send money to El Salvador to smuggle three

1 individuals to the United States to gain employment
2 illegally at Magnolia laundering. Those individuals, Your
3 Honor, are F.T.A., I.E.L.A., and O.A.A.G., as identified in
4 the statement of facts. Those three individuals are all
5 adults. None of those three individuals had minor children
6 with them. And he does not in any way deny that that was
7 illegal. He takes full responsibility for it. And as we
8 put in our sentencing papers, his explanation for it is
9 lacking, but essentially, he was completely exhausted and
10 beaten by a failing company.

11 As the government has conceded, I think in the last
12 comments to the Court, in response to the Court's questions,
13 did he get windfalls? No, he didn't get windfalls. He was
14 barely surviving. What probably needed to happen to this
15 company is what kind of did happen, which is it folded. Now
16 it actually ended up selling, but it is not the same entity
17 it was when Mr. Evans was there.

18 In addition to that, 2017 and beyond is the offense
19 conduct that the government attributes to our client. There
20 is no question that our client engaged in illicit conduct
21 during that period. Our client received false and
22 fraudulent papers that supposedly authorized individuals to
23 work in the United States that were not authorized in the
24 United States. He was aware that this was happening. He
25 does not deny that he was aware that it was happening.

1 The point of our position paper, which is hard to
2 sort of nail down and define maybe as intricately as we
3 would like, is that the laws surrounding that issue, that
4 particular issue, are very complex for an individual to
5 navigate successfully on their own without getting in
6 trouble with the law.

7 We pointed out in our sentencing paper 8 U.S.C.
8 1324(b), which essentially says when a perspective employer
9 receives documents that on their face appear to be valid,
10 you essentially can't scrutinize them. You cannot question
11 them without running afoul of punishment from the United
12 States government. So if somebody gives you the very same
13 documents, arguably, that our client got in this case, you
14 can't -- and they look valid, that's the end of your
15 inquiry. You submit it to your payroll company, as he did
16 here, and you hope that the government tells you that you're
17 not supposed to employ them, and then you can go from there.
18 Alternatively, you end up, if you do employ them, you end up
19 where our client is today, or you could end up under 8
20 U.S.C. 1324, which is a misdemeanor punishable by a maximum
21 of six months of incarceration.

22 It is a difficult area to navigate, and he knew
23 that he was not navigating it properly because he got the
24 notifications, and the government does have the proof to
25 establish it, and he's not denying it. He's taking full

1 responsibility.

2 What probably should have happened is he should
3 have gone to an employment lawyer and gone to a criminal
4 lawyer and said, "What do I do here?" And they would have
5 cleaned house and told him how to do it, and he wouldn't be
6 here today, and he should have, and he didn't, and he is
7 taking responsibility for that.

8 There are essentially two areas of conduct that are
9 in some ways very different and, of course, they're
10 foreseeable, and they're connected, and they're considered
11 related that really apply to this case that he absolutely
12 accepts responsibility for. There are other areas that he
13 does not accept responsibility for, and I do not believe
14 that it is the government's position that he should have to
15 today. And I really want to explore and clarify that, and
16 it sounds from the proceedings thus far that the Court has
17 delved into this somewhat.

18 The first thing I want to point out is that in the
19 statement of facts that's filed with the Court, which is
20 Document 56, the opening, the introductory paragraph says,
21 "By signing below, the parties stipulate that at trial, the
22 United States would have proven the following facts beyond a
23 reasonable doubt with admissible and credible evidence."
24 That's the introductory paragraph.

25 On page 2, under paragraph 6(b), essentially, "With

1 respect to Count One, the defendant knowingly and willfully
2 combined, conspired, and agreed; (b) to commit one or more
3 of the following offenses; that is," and then there is a
4 list of what follows.

5 The reason I am bringing that to the Court's
6 attention is because that language, those two clauses were
7 expressly negotiated over. It was a point that we addressed
8 to say we are not signing up for all of the conduct that the
9 co-defendants conspired and did, in fact, commit.

10 The government has essentially acknowledged
11 somewhat today that they acknowledge, and everybody agrees
12 that our client had no knowledge -- excuse me -- our client
13 had no direct threats of violence, no violence to these
14 individuals whatsoever, and they have no proof to establish
15 it, because he didn't.

16 They suggest -- and this is the area of contention
17 -- that he should have known, but they offer no evidence
18 despite -- excuse me -- aside from his ownership of the
19 company and the fact that he's a hands-on employee of the
20 company to suggest that he did know, so should have known,
21 maybe.

22 Now, the conditions they point to, children living
23 there. Well, it's not illegal to have a child working there
24 in and of itself, *per se*, nothing illegal from what they
25 presented to the Court thus far. A child, the child that

1 was working there was, by the facts, 14 years or older.

2 Under Virginia law you can work at 14 years.

3 There is no evidence to suggest that any of these
4 individuals came forward to our client and said, Mr. Evans,
5 we're in this terrible position. Can you help us? Your
6 partner and his wife are monsters. That's not before the
7 Court. That evidence isn't here.

8 There is no evidence that there was bruises. There
9 was no evidence that there are instruments such as these
10 other cases that we presented to the Court where people are
11 chained, or they have security measures in the buildings
12 where they can't leave. That's not a part of this case.

13 In fact, it's also not a part of this case that any
14 of the individuals that actually came here, all of them,
15 that any of them did not actually want to come here, saving
16 apparently one. There was one minor child who ultimately
17 sounds like she wanted to come, but she wanted to come
18 because she wanted a job here and a place to stay. Well,
19 that is what she got. It was just more work than she should
20 have ever had to suffer through and more than she wanted.
21 But ultimately all of the individuals that came here, who
22 have been identified by the government, wanted to come here.

23 Now, the threats that were made to keep them here,
24 the monetary payments that really effectively operated to
25 trap them here, there is no evidence to suggest our client

1 had any role in that. Is it a foreseeable part of a
2 conspiracy? Yes. We've acknowledged that. We legally
3 admitted that because it is. But was it factually? No.
4 And there is no evidence to support that it was.

5 So what did he do? He knowingly operated a company
6 that, as the government correctly pointed out, enabled this
7 to happen, and that's not okay.

8 THE COURT: Well, Mr. Weisberg, I mean, I accept
9 the government's statement that they cannot prove that he
10 knew that this was occurring, but certainly there is some
11 evidence that he knew or should have known, such as the fact
12 that he was working there. You in your position state that
13 he was working extremely long hours in 2021, that he was
14 there six days a week, that during that period of time a
15 14-year old was working at the business, that even if she
16 was believed to be 17, she was also in school. So
17 certainly, you would see this child working. You would know
18 the fact that they're supposed to be in school. So I have
19 to say I don't think there is no evidence. I think I have
20 to accept the government's representation that they cannot
21 sufficiently prove knowledge, but there is -- I have to
22 consider the circumstances of what's presented and his
23 involvement, and so I think the statement of no evidence is
24 not reflective of what's in the Presentence Report.

25 MR. WEISBERG: But the no evidence I'm referring to

1 is not that, Your Honor. I acknowledge that he did know
2 that she was working there. I acknowledge that he knows the
3 amount of hours and knew that she was of school age, but
4 none of that is illegal in and of itself.

5 And what I am saying he did not have knowledge of
6 is, he did not have any knowledge whatsoever that this
7 person may have been subject to threats in the Landaverde
8 household, and they have no evidence to suggest he did, so.

9 And yes, Your Honor's point is well taken. Should
10 he have taken that person and said, well, let me look at
11 these documents? Should this girl be working here this
12 much? Is all of this legit? I know I had problems before.

13 Yes. If that's Your Honor's point, I agree, and
14 I'm not trying to argue that point. My point is that this
15 same girl that's there is never coming to him and saying,
16 they are threatening me, my siblings are threatening me.
17 This same person is not saying anything about, you know,
18 financial loans or entrapment of that regard. This person,
19 at worst, is working side by side with our client who is in
20 the exact same environment that these people are working in.

21 So as opposed to, you know, a case that could be
22 charged under this where somebody has been smuggled here and
23 trapped, such as the restaurant workers in the cases we
24 cited, and the owners are lording over them, something like
25 medieval times. That's not what this is. This is a person

1 working in the exact same environment with people he thinks
2 are just as willingly working there as he is. I mean, this
3 isn't where he wants to spend his 60s either, or any time,
4 but this is the job that was available to him, and this is
5 what he was doing. Likewise, it was fair for him to assume
6 essentially, with the exception of that young girl, that
7 that's what we have here. They had no evidence to suggest
8 that any of these other individuals, that he had knowledge
9 of that, other than he's an owner writing paychecks. That's
10 the point that I am trying to make.

11 THE COURT: All right.

12 MR. WEISBERG: Your Honor, so when we get to the
13 point of what he really did know, and I just submit to the
14 Court when the Court is trying to come up with an
15 appropriate punishment for that, that offense conduct of
16 employing people knowing that they're illegal is a
17 misdemeanor. It can be punished under federal law as a
18 misdemeanor, and the maximum punishment is six months in
19 jail for all of the conduct involved in that. That's one
20 class of his conduct that he is before the Court on. The
21 other class is the 2021 conduct, where those three
22 individuals come, and I think I've already made the factual
23 distinction with respect to them about who they were and who
24 they weren't. These were people that wanted to come here.
25 One of these people left within months of being here.

1 Again, no reason for my client to think that that man was
2 being subject to threats whatsoever, no evidence to suggest
3 that anybody ever told our client that that was going on.

4 Your Honor, I want to turn next, if I may, to the
5 relative culpability of the individuals here. The
6 government has asserted that my client is sort of the second
7 least culpable person, submitting that Mr. Reyes is the
8 least culpable. There were 21 false Social Security cards
9 found in his possession when they --

10 THE COURT: I'll just say, because I did say this
11 during the co-defendant's sentencing, that while he is a
12 member of the conspiracy, his conduct is so different than
13 that of the other three co-defendants that, to me, it's very
14 difficult to compare those individuals to Mr. Jeronimo-Sis.
15 His conduct is just so different that, to me, I do need to
16 consider sentencing disparities, but I frankly just see them
17 as almost different situations that are difficult to compare
18 to each other.

19 MR. WEISBERG: Understood, Your Honor. And, you
20 know, the only thing I would submit with respect to
21 Mr. Jeronimo-Sis is that there are 26 people or 26
22 identities that he has in his possession that are false.
23 That's potentially 26 individuals who could have been put in
24 the exact same position that the individuals in this case
25 were put in. And more importantly and perhaps most

1 importantly in this case, the one thing that my client was
2 doing right in this case is that he was making it so that
3 but for the Mr. Jeronimo-Sis's of the world, people making
4 these false documents, you wouldn't have gotten a job at
5 Magnolia. You could not get a job at Magnolia.

6 The controlled call that the government has cited
7 in their statement of facts makes it clear that you do not
8 work here without papers. Now it also, yes, I understand,
9 says -- is him basically acknowledging that he knows that
10 he's getting papers that aren't good.

11 But without Mr. Jeronimo-Sis, my client is not here
12 either. And these people that came here aren't here by
13 virtue of his paperwork, and they're not at Magnolia laundry
14 by virtue of his paperwork. So that's 26 people that he has
15 a criminal enterprise. That's the focus of his enterprise.
16 My client's enterprise is to clean laundry and run a lawful
17 business. His enterprise was to make false documents to
18 facilitate the trafficking of individuals to this country to
19 work, when they're not allowed to work, which makes it much
20 harder for the government to control the trafficking in the
21 first place. So I would just submit that.

22 With respect to Landaverde and Vaughan, they
23 represent the pure and true evil that is associated with
24 trafficking, and there is just no question about that. And
25 there is also absolutely no evidence, I would submit,

1 to suggest that my client had any knowledge about it, and I
2 stand firm on that. And by my negotiations with the
3 government on the statement of facts, I think I am allowed
4 to do that.

5 Do I think that he could have been wiser about what
6 is before him, and how he is operating his business, and who
7 is working there? Yes, he could have been wiser. And he's
8 bearing a responsibility for that today.

9 But I strenuously object to the notion that he
10 turned a blind eye to people suffering from physical threats
11 or anything like what occurred apparently in the household,
12 and I stress the household of Landaverde and Vaughan.

13 And I also stress that, yes, my client was
14 primarily working day shift, and these were effectively
15 ships passing in the night. These individuals, the owners
16 of this company, were not having, you know, business
17 meetings and weekly meetings or daily meetings. They were
18 really operating in their own lane, in their own world, and
19 ships in the night, sort of swapping keys, if you will, here
20 you go, the business is yours for the next shift. So I
21 don't think there is any evidence to the contrary with
22 respect to that.

23 Your Honor, when we do look at the guidelines as a
24 recommendation in this case, we are glad and grateful for
25 *Booker*. We're glad they're advisory. We agree that they're

1 correctly calculated as they're required to be, but we also
2 believe that that demonstrates that they are problematic.
3 You have a six-point enhancement for the 25 to 99 aliens.
4 You have a four-point enhancement for the unaccompanied
5 minor. And you have two levels for the vulnerable victims.
6 For all of those individuals, for the reasons I've already
7 submitted, those mostly apply to the co-defendants.

8 I am not saying my client is without fault. I
9 think I have established that. But he did not play as
10 direct and knowing role in the fashioning of the treatment
11 of those individuals reflected in those enhancements, so it
12 is submitted that the guidelines, as they pertain to
13 Mr. Evans, really overstress and overemphasize the
14 accountability that he should suffer for that.

15 Your Honor, his daughters, I think have made clear
16 through their letters and made clear through their testimony
17 today that Mr. Evans is not a cruel human being. He was a
18 proud successful member of the business community. He is a
19 proud father. That makes his humiliation and his own
20 failures that bring him before the Court today that much
21 more painful.

22 The government is right, specific deterrence is
23 just not necessary in a case like this, and I would submit
24 that the fact that he has no prior record, the fact that he
25 has led such a productive and successful life and committed

1 to a life almost entirely without running afoul of the law
2 is something that he should be given credit for. It does
3 indicate that specific deterrence isn't necessary.

4 Also, I would submit to the Court in terms of
5 general deterrence, I would suggest that it's not a bad
6 message for people to understand that, yes, you do suffer
7 consequence no matter when in life that you commit a crime,
8 that's the answer that you come to have to give in this
9 life. You're never above the law. You're never beyond the
10 law. But it's not a bad thing if you spend 99 percent of
11 your life abiding by it. That's a good thing, and you
12 shouldn't be punished more for that. You should be given
13 credit for that, to a degree.

14 I think it also supports the position advanced in
15 our papers and also by his daughters that this was a man
16 that was exhausted. This is a man that got beaten by the
17 business and wasn't operating with his best judgment. It
18 was a man that found how to navigate the immigration and
19 employment laws surrounding this business al dita. He was
20 just out of his depth on it. And contrary to the
21 government's position, that's not that unbelievable. You're
22 a CFO. That's not human resources. He's a CFO. That's
23 something that he never had to deal with before. And there
24 are no easy answers if you really start looking at the law
25 on how a United States lawful businessman is supposed to

1 really handle that issue. That's not on the websites.
2 There is no fact question on: What do you do? They're just
3 telling you what you can't do. There is not an easy answer
4 there. We don't have one. And I haven't had the government
5 tell us what there was other than essentially to shut it
6 down.

7 This is, no doubt, going to be Mr. Evans's last
8 time ever before Your Honor or before a court regarding a
9 criminal conduct. He has led an exemplary life. He has
10 raised exemplary daughters. He serves as an example as to
11 how you should treat a spouse, even your ex-spouse, when
12 they are ill. This a good man who had a lapse of judgment.

13 Thank you.

14 THE COURT: Thank you.

15 MR. SAMUELS: Your Honor, may I just say a few
16 things?

17 THE COURT: You can. And I do also think that it
18 probably would be most appropriate to first, after you
19 speak, to then hear any argument on your motion and then
20 allow Mr. Evans to allocute.

21 Any issue with proceeding in that way?

22 MR. SAMUELS: No, ma'am.

23 THE COURT: All right. Go ahead.

24 MR. SAMUELS: Your Honor, I just wanted to
25 reference three pieces on this kind of point of knowledge

1 and participation, and I am going to take them directly from
2 the PSR.

3 In the PSR, paragraph 17, August 7th, 2019, the
4 defendant caused a transfer of approximately \$16,395 from
5 the account, the funds from the business account. The funds
6 from that monetary transaction were criminally derived
7 property. They were derived from this encouraging, this
8 transporting, this trafficking.

9 This idea that the defendant maybe committed this
10 misdemeanor violation because he didn't check the documents
11 enough, that's not a specified unlawful activity for a money
12 laundering count. So in terms of the knowledge, the
13 defendant knows that this money is unlawful and it's being
14 generated in this process.

15 And again, I come back to my kind of metaphor of
16 the pot getting warmer and warmer. By the time the minor
17 starts working there, and this is in 2019, Your Honor, the
18 defendant has processed a bunch of checks to people that he
19 knew were not authorized to work at the business, knew were
20 not authorized to work in the United States.

21 So we see in paragraph 41 there begin a series of
22 checks to M.G.M. M.G.M. was actually 13-years old.

23 So what do you have, Your Honor? You have got a
24 13-year-old girl that's working in this business for long
25 periods of time. The defendant is writing checks to her,

1 admitting that he knows -- there was some statement here, I
2 thought, that, well, a 14-year old could work there. But
3 no, the defendant has admitted that he knows she's not
4 authorized to work in the United States.

5 So wouldn't a responsible business owner making
6 payments to this young girl, who he knows is not authorized
7 to work in the United States, as he has known a lot of other
8 folks are not authorized to work in the United States,
9 wouldn't that raise questions for him, concerns for him?
10 Isn't that a very alarming red flag?

11 And one of the checks was rewritten the next day
12 because the first check was to the wrong name. So he even
13 knows she's using a different name.

14 And then lastly, Your Honor, paragraph 51 of the
15 PSR, between 2019 and 2022, Aragon Landaverde, Vaughan, the
16 defendant, and Magnolia provided their clients with U.S.
17 currency and directed them to wire funds to Central America
18 to pay for nationals to illegally come to the United States.
19 So there is this knowledge and involvement that I do think
20 does raise the specter of what is really occurring here, and
21 I wanted to respond to that, Your Honor.

22 THE COURT: Very well.

23 MR. SAMUELS: Thank you, Judge.

24 THE COURT: Regarding your motion for a variance.

25 MR. SAMUELS: Yes, Your Honor.

1 THE COURT: I do think you have set forth your
2 reasoning very well in your motion.

3 MR. SAMUELS: Thank you.

4 THE COURT: Do you think that there are other
5 things that you need to raise with me, other than what's
6 already presented in the motion?

7 MR. SAMUELS: I do not, Your Honor.

8 THE COURT: I think that encapsulates it well.

9 THE COURT: Very well.

10 Mr. Weisberg, I can't recall whether you
11 specifically responded to the motion made by the government,
12 and so if you wanted to speak on that specifically, I would
13 do a sidebar for that, but if you feel that that's not
14 necessary, then we won't.

15 MR. WEISBERG: I believe it is necessary and we
16 would make the request.

17 THE COURT: All right. Then why don't counsel come
18 forward.

19 Mr. Weisberg, are you asking that your client come
20 forward as well?

21 MR. WEISBERG: He doesn't need to, Judge.

22 THE COURT: All right.

23 (Sidebar conference redacted by order of the
24 Court.)

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(Sidebar concluded.)

THE COURT: So, Mr. Evans, could you please approach with your counsel.

Mr. Evans, I have heard from the attorneys and read their position papers, read the letters in support and heard from your daughters. You also have the right to speak before I impose any sentence. You don't have to do so, but if you would like to say something, I would be happy to hear from you now.

THE DEFENDANT: Thank you, Your Honor. I

1 appreciate the opportunity.

2 I acknowledge and accept the crimes that I have
3 been accused of and have admitted to in my pleading
4 agreement. I made numerous mistakes of judgment in giving
5 to the decisions that I made leading up to this and
6 sincerely regret this. During much of the time leading up
7 to this I was working as much as 80 hours a week and
8 commuting back and forth to Richmond, where I lived, on top
9 of that, and I was exhausted, overwhelmed, and that clouded
10 my judgment, and that led me to make bad decisions.

11 Prior to my being involved with the laundry in
12 Williamsburg, I was CFO of a public company that owned a
13 number of insurance companies, and that put me under the
14 constant scrutiny of the Securities and Exchange Commission
15 and various insurance departments, and I never had any
16 issues with that.

17 I also deeply regret any harm that came to any of
18 the employees, even though there was nothing I did directly
19 to threaten or harm them. I also regret the shame and
20 embarrassment that this has brought on my family.

21 And I ask for whatever leniency the Court might
22 give me and respectfully accept whatever decision the Court
23 makes.

24 Thank you, Your Honor.

25 THE COURT: Thank you, Mr. Evans. Sir, just give

1 me one moment.

2 So, Mr. Evans, what I have to do at sentencing, and
3 what Congress tells me I have to do, is to consider these
4 different factors that are set forth in the statute that
5 represent all of the different things that courts should
6 consider when imposing sentence, such as the offense, the
7 seriousness of the offense, the person standing before me,
8 the need to deter future similar conduct, the need to
9 promote respect for the law. And that's in some ways like
10 making soup, in that you have to consider each one of those
11 factors and try to find a sentence that I think is
12 appropriate, but not greater than necessary, to meet those
13 factors. And so let me walk you through my thinking as to
14 each of those factors and how I arrive at the sentence that
15 I arrive at.

16 I do have to consider the nature and the
17 circumstances of your criminal conduct. And here the
18 Presentence Report describes it. It is extensively
19 described. I do think that there are a number of
20 aggravating factors relating to the offense itself, and here
21 the offense is, you know, effectively the conspiracy to
22 induce and recruit foreign nationals to come to the United
23 States and work and to engage in illegal employment for --
24 really, it is for the financial benefit of your company,
25 although I do recognize that financially the company may

1 have been struggling.

2 This conspiracy, I also have to consider your
3 specific role in that. I have to consider the fact that you
4 were an owner of the business. You were substantially
5 involved in the day-to-day running and operation of the
6 business. It is I think fairly important to consider the
7 duration of the conspiracy because humans have lapses in
8 judgment. We make mistakes. It is common. When it occurs
9 over a longer period of time, it becomes more significant.
10 So here the length of the conspiracy, to me, is an
11 aggravating factor.

12 I think the fact that part of the conspiracy was to
13 secure foreign nationals with illegal documents, it is also
14 aggravating. I have to consider the number of foreign
15 nationals involved.

16 I do recognize your attorney's argument, and it is
17 very clear that you yourself did not inflict any abuse. You
18 made no threats. You didn't direct that, and that's all
19 very clear. Frankly, your knowledge, which is nearly
20 impossible to know -- I have to take what I have, which is
21 that there is no direct evidence of your knowledge that
22 these threats were occurring. And I think your attorney
23 makes a good point that even if there was some knowledge
24 about coerciveness within the business, certainly there was
25 no specific knowledge about the specific threats or the

1 specific assaults done in the case, and so I accept that,
2 and I think your sentence reflects that.

3 But I also have to consider that as a result of
4 this conspiracy a 13-, 14-year-old child was employed, that
5 she worked exceedingly long hours while attending school,
6 that the conditions in the business were poor, that there
7 were individuals living in the business, that an infant was
8 left in a baby seat for hours on end.

9 And so even, even if I accept your position
10 regarding knowledge, I still have to consider the effect
11 that this conspiracy had on real people and their lives, and
12 it is -- really, it's reprehensible what happened to these
13 people, and I have to consider that, and I do think it's
14 aggravating.

15 There are also mitigating facts relating to the
16 offense conduct. I do very strongly weigh the fact that
17 these individuals, while working illegally, were paid a fair
18 wage, that they were paid what they should have been paid,
19 and that they were paid overtime, which often doesn't even
20 happen, and so that does, to me, indicate a desire to comply
21 with the law as well as to treat employees fairly, at least
22 as it relates to their employment.

23 I recognize that this business was run for some
24 period of time without engaging in this conduct which,
25 again, I think supports your argument that you acted out of

1 desperation or made decisions out of desperation.

2 I also consider the degree to which you profited
3 from this scheme. I think you certainly did not, in my
4 mind, unfairly profit. It was illegal. Your salary was to
5 some degree derived from that illegal conduct, but it was
6 likely the salary that you would have received, that you
7 weren't essentially getting rich from this conspiracy.

8 And as I think all the parties have recognized,
9 your involvement was significantly different than that of
10 your co-defendants, and that I have to also weigh heavily.

11 I do also have to consider your history and
12 characteristics, and it is accurate that nearly everything
13 in your history is mitigating. You have no criminal
14 history. You are 68-years old, and you've lived as a
15 productive citizen. You're educated. You were employed.
16 You were successful. You raised a family. The fact that
17 you're still supporting your wife, although you're
18 separated, to me speaks to your character which, again, I
19 think is very positive.

20 I do consider your past employment, because you
21 were a sophisticated businessperson, and I consider that,
22 and clearly I think took steps to run this business
23 appropriately and legally, but there is to some degree that
24 you certainly knew that this was illegal, and that you
25 shouldn't have done it, and it was breaking the law. And so

1 that, I think it just cuts both ways.

2 I do have to also consider the need for deterrence,
3 and that is to deter you specifically but also to deter
4 others. I agree that given your age and your background
5 that there really is very little need to specifically deter
6 you. I think you have been deterred through the conviction,
7 through the financial penalties, through just the processing
8 of your case, that you are highly unlikely to engage in any
9 additional conduct in the future.

10 But I also have to consider general deterrence, and
11 I do think that that is important in this case because, you
12 know, I recognize, and you can read the newspaper, there can
13 be labor shortages, have been and likely still are in this
14 country, and that may be driven, in part, by the immigration
15 policies and law, but the law is the law, and to step
16 outside of those bounds and to not follow the law, at that
17 point, you know, our country isn't what it really is, and so
18 there is a need to ensure deterrence in this case.

19 I do also have to consider the advisory guideline
20 range, and let me talk about that for just a moment. Here
21 your advisory guideline range is 63 to 78 months, that's
22 about a little over five years to six and a half years. And
23 the advisory guideline range is properly calculated, but I
24 do look at that range and note that -- and I think your
25 attorney had pointed this out -- that there are some

1 enhancements that are applied to which your involvement was
2 especially different than that of your co-defendants.

3 And so specifically the fact that one enhancement
4 is the fact that a minor was transported while being
5 unaccompanied, there is surely no evidence that you knew
6 that that was happening, that you were involved in that.
7 And so while it's appropriately applied, as it relates to
8 you, I kind of have to take some of that away because of
9 your specific role which was, as to that, really that you
10 were not specifically involved in that conduct.

11 And also, to some degree the fact that this
12 involved vulnerable victims, certainly I think you had
13 knowledge as to where these individuals were coming from,
14 but less knowledge than that of your co-defendants regarding
15 their specific circumstances.

16 So again, I consider the advisory guideline range,
17 but to some degree I think it overstates the specific
18 involvement that you had or your role in the offense.

19 I do also have to avoid unwarranted sentencing
20 disparities. Your guidelines are somewhat similar to
21 Mr. Vaughan's, if not the same, less than Ms. Landaverde. I
22 do think that their roles are significantly different than
23 yours, but given the government's motion, to some degree
24 that's accounted for, and so I recognize that you are
25 relatively less culpable than your co-defendants, but I

1 think I can reflect that fact in the sentence that I am
2 imposing.

3 I will grant the government's motion for a variance
4 for the reasons stated by the government in their motion. I
5 accept their description of their reasons for the variance,
6 as well as your attorney's statements regarding future
7 impacts that certain activities may have, and so I have
8 considered that, and I will grant the government's motion in
9 the degree to which they have suggested.

10 But, sir, I will impose a term of incarceration in
11 your case, and I think that is necessary given the
12 seriousness of the offense, most specifically the
13 consequences and what occurred as part of the conspiracy,
14 the length of time that your involvement lasted, and the
15 need to deter others. I do think a term of incarceration is
16 necessary.

17 I am not going to impose the sentence requested by
18 the government, in part, because I think that the advisory
19 guideline range to some degree overstates the reflection of
20 what happened here. I have to consider their motion for a
21 variance, and so I have done that, but I do think some
22 further reduction is appropriate.

23 So based on all of that, Mr. Evans, it is the
24 judgment of the Court that you are committed to the custody
25 of the United States Bureau of Prisons for a term of

1 incarceration of 30 months on Count One, and 30 months on
2 Count Thirty-One, to be served concurrently, meaning at the
3 same time, for a total term of incarceration of 30 months.

4 I will recommend that you be assigned to a facility
5 as close as possible to your family in Virginia, but I would
6 note for you that that is just a recommendation that I make.
7 The Bureau of Prisons does not have to follow that
8 recommendation.

9 Following your term of incarceration, I will place
10 you on a term of supervised release of one year on Count One
11 and one year on Count Thirty-One, to be served concurrently,
12 for a total period of supervised release of one year. My
13 reasoning there is that I just see very little need for a
14 term of supervised release, especially given your prior
15 compliance, your payment, for example, towards the judgment,
16 the fact that you've complied with pretrial release. All of
17 that indicates to me that while some term of supervised
18 release is appropriate, that that length can be shorter than
19 may be normal.

20 You must, however, comply with the following
21 conditions while you're on supervised release: That you not
22 commit another federal, state, or local offense.

23 I will waive the drug testing condition based on my
24 determination that you pose a low risk of future substance
25 abuse.

1 And you are prohibited from possessing a firearm,
2 ammunition, destructive device, or other weapon.

3 I have considered your assets, your net worth, your
4 age, your financial needs, your earning potential, and the
5 fact that a money judgment has already been entered in this
6 case, and I will not impose any additional fine given the
7 financial penalties that have already been assessed. I find
8 that they adequately address the criminal conduct in this
9 case.

10 I am, however, required to impose a \$200 special
11 assessment. That is due and payable immediately, but if
12 it's not paid in full, it's to be paid 60 days after your
13 release in \$25 increments per month until it's paid in full.

14 All right. Mr. Samuels, are there any other
15 motions or any other documents that need to be addressed?

16 MR. SAMUELS: I don't think so, Your Honor. We do
17 need to move to dismiss the remaining counts of the
18 indictment against Mr. Evans.

19 THE COURT: That motion is granted.

20 Anything else you think we need to address other
21 than his appellate rights?

22 MR. SAMUELS: No, Your Honor. Thank you.

23 THE COURT: All right.

24 Mr. Weisberg, anything else you think I need to
25 address other than his appellate rights?

1 MR. WEISBERG: Your Honor, we would just ask the
2 Court to consider allowing him to self-report.

3 THE COURT: Yes, I will permit that.

4 And, sir, what I will do is that you're directed to
5 self-report no later than Tuesday, September 5th, 2023, by
6 12:00 o'clock. What that means is if you receive
7 information from the United States Marshals to report to a
8 particular location, then you're to do that. If, however,
9 you don't receive that communication by September 5th, then
10 you report here no later than noon.

11 Do you understand that?

12 THE DEFENDANT: Report to this court no later than
13 noon?

14 THE COURT: Yes, on September 5th, if you do not
15 receive other communications from the United States Marshals
16 regarding your location of self-reporting.

17 THE DEFENDANT: Okay. I understand.

18 THE COURT: Between now and the time in which you
19 self-report, you do remain on the conditions of pretrial
20 release, which means the same conditions that the United
21 States Magistrate placed you on, they remain in place until
22 you self-report. If you don't comply with those conditions,
23 or you don't report as directed, then you could face
24 additional penalties for that conduct.

25 Do you understand that?

1 THE DEFENDANT: I do, Your Honor.

2 THE COURT: All right.

3 Madam Clerk, do you know whether the marshals
4 typically have a designated place for him to report within
5 30 days, or do you think it takes longer?

6 THE CLERK: I am not sure.

7 THE COURT: Could you come forward, please.

8 I'm going to ask one of our U.S. Marshals a
9 question.

10 (Sidebar between Judge Hanes and U.S. Marshal.)

11 THE COURT: Mr. Weisberg, my question to the United
12 States Marshal is that my preference really is that
13 Mr. Evans is able to report directly to the facility to
14 which he's been designated rather than coming here, given
15 the time and logistics of getting someone transported if
16 they actually report here. The U.S. Marshal does indicate
17 that I think 30 days is adequate. If, however, you received
18 information that that designation will not occur within the
19 30-day period, I would consider pushing the report date out
20 so as to accomplish that goal.

21 MR. WEISBERG: Judge, we did some research on this
22 issue in advance of today. In fact, Mr. Gorman looked into
23 this, and the information that we got is it could take two
24 to six weeks, is the information we got. I would just bring
25 that to the Court's attention, if the Court would consider

1 that outside period.

2 THE COURT: What I will do, I will then set it --
3 I'll add the additional 14 days, which would be
4 September 19th.

5 Madam Clerk, is that a weekday?

6 THE CLERK: Yes. It is a Tuesday.

7 THE COURT: Sir, what I will do is I will change
8 your self-report date to September 19th by noon.

9 Other than that, Mr. Evans, I am not suggesting
10 that there is a reason to appeal, but if for any reason you
11 wish to appeal, you have to do so by filing a written notice
12 of appeal with the clerk of this court within 14 days from
13 today's date. If you don't act in that way and in that
14 time, any right of appeal is lost forever. Additionally,
15 part of your attorney's role would be to assist you in that
16 if you wish to do so.

17 Do you understand those things?

18 THE DEFENDANT: Yes, I do, Your Honor.

19 THE COURT: All right. Mr. Evans, I do hope that
20 you stay well during your term of incarceration. I'm sorry
21 to see you in this position because I do recognize that the
22 vast majority of your life has been spent in a way to help
23 other people, and to work, and to provide for your family,
24 so I do wish you well, and I hope your family stays well
25 during your time of incarceration as well.

1 THE DEFENDANT: Thank you very much, Your Honor.

2 THE COURT: Thank you all. We will stand in
3 recess.

4 (Proceedings concluded at 12:17 p.m.)
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6

7 CERTIFICATION
8

9 I certify that the foregoing is a correct transcript
10 from the record of proceedings in the above-entitled matter.
11

12
13 _____/s/_____
14

15 Jill H. Trail
16

17 September 25, 2023
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